

1 The Honorable Richard A. Jones
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.
13 HARBANS SINGH,

14
15 Defendant.

16 CASE NO. CR20-85 RAJ
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18 ORDER CONTINUING
19 TRIAL DATE

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28 THIS COURT having considered the Motion of the United States to continue the trial date, the Defendant's response, the United States' reply, and the files and related pleadings herein, hereby FINDS as follows:

1. The trial date in this matter was initially set 69 days after the Defendant's initial appearance.
2. The Defendant filed his first motion to dismiss on August 18, 2020, and this Court held a hearing on the Defendant's three motions to dismiss on November 4, 2020. The 78 days between August 18, 2020, and November 4, 2020 are therefore excluded under 18 U.S.C. § 3161(h)(1)(D) from the Speedy Trial Act's 70-day trial deadline. *See* 18 U.S.C. § 3161(c)(1).

1 3. In addition, based on and as discussed in General Orders 11-20, 13-20, and 15-20
2 of the United States District Court for the Western District of Washington, which
3 Orders are incorporated herein by reference, and the Court's other General Orders
4 regarding COVID-19, and the health directives discussed in those Orders:
5 recommended social distancing and other health measures made it impossible to
6 proceed with a jury trial between July 28, 2020 and November 4, 2020; would
7 make it difficult to proceed with a trial at this time or in the near future; and have
8 made it impossible to conduct more than one trial in the Seattle courthouse prior to
9 January 1, 2021.

10 4. Counsel for the Defendant has another trial scheduled before this Court on
11 December 14, 2020, and has informed the Court that he has another trial scheduled
12 for January 11, 2021. Counsel for the government has a trial scheduled in Tacoma
13 on February 2, 2021. Thus, a failure to grant a continuance in this case until
14 February 16, 2021 would "unreasonably deny the defendant or the Government
15 continuity of counsel." 18 U.S.C. § 3161(h)(7)(B)(iv).

16 5. The "nature of the prosecution" is also "unusual," in that the government
17 anticipates that it will attempt to introduce evidence from the United Kingdom
18 through the testimony of at least one local law enforcement officer from the
19 United Kingdom, which officer will have to travel during a pandemic that has
20 closed international borders. 18 U.S.C. § 3161(h)(7)(B)(i).

21 6. Due to these considerations, the ends of justice served by continuing the trial in
22 this case outweighs the best interest of the public and the Defendant to a speedy
23 trial, and the time between July 28, 2020, and February 16, 2021, is excludable
24 time under 18 U.S.C. § 3161(h)(7)(A).

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1 IT IS THEREFORE ORDERED that the trial in this case is scheduled for
2 February 16, 2021 at 9:00 a.m.
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4 DATED this 1st day of December, 2020.
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10 The Honorable Richard A. Jones
11 United States District Judge
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